

Samples of other state concussion laws regarding volunteer liability

Nebraska - Nothing in the Concussion Awareness Act shall be construed to create liability for or modify the liability or immunity of a school, school district, city, village, business, or nonprofit organization or the officers, employees, or volunteers of any such school, school district, city, village, business, or nonprofit organization.

Ohio – (E) (1) A youth sports organization or official, employee or volunteer of a youth sports organization, including a coach or referee, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from either of the following:

- (a) Any act or omission in deciding whether to remove an individual from practice or competition under division C of this section;
- (b) Any act or omission in the assessment of a concussion or head injury of an individual and clearance to return to practice or competition granted to that individual by a physician or other licensed health care provider under division D of this section.

(2) The section does not eliminate, limit or reduce any other immunity or defense that a public entity, public official, or public employee may be entitled to under Chapter 2744 or any other provision of the Revised Code or under the common law of this state.

Massachusetts – the bill only applies to school athletics, but does include a liability provision which mentions volunteers and exempts liability for acts that are wantonly negligent:

(f) Nothing in this section shall be construed to waive liability or immunity of a school district or its officers or employees. This section shall not create any liability for a course of legal action against a school district, its officers or employees.

(g) A person who volunteers to assist with an extracurricular athletic activity shall not be liable for civil damages arising out of any act or omission relating to the requirements of this section, unless such person is willfully or wantonly negligent in his act or omission.

Source: YMCA of the USA Government Relations and Policy Department